

1905-046 Chancery Causes: James Quillen vs Lucy Burton Quillen
Lee Co.

Burton, Hans

CA-Divorce
T-Vices
Migration

To the Hon H.A.W.Skeen, Judge of the Circuit Court for Lee County:

Humbly complaining your orator James Quillen would respectfully represent and show unto your honor that on the 11th day of September, 1898, he was married to Lucy Burton, in Hancock County Tenn., and that as man and wife your orator and his said wife lived together for the period of Five week and Three days, when she, the said Lucy Burton, without just reason or lawful excuse, deserted your orator, and has ever since refused to live with him, and has ever since that time lived separate and ^apart from your said orator. Your orator alleges and will¹ show unto your honor that his said wife deserted him without any just reason or lawful excuse and has since the date of said separation as aforesaid refused to live with your orator any more.

Your orator furthur charges that the said Lucy Burton, his wife has been, since the said separation, ~~been~~ guilty of adultery, which was without the consent, connivance or procurement of your said orator.

Your orator furthur alleges that his said wife has deserted him for more than three years next preceeding the institution of this suit.

Your orator furthur alleges that he has been a citizen of Lee county for more than one year preceeding the institution of this suit, and alleges that he came to Lee County Virginia in the month of February 1901, where he has since had his home and been resident.

Your orator would furthur represent and show unto your honor that the said Lucy Burton is a non-resident of the State Of Virginia, and resides in Tennessee; that he is a poor man and ill able to bear the expense of this suit, and asks that the order of publication be dispensed with. Your orator alleges that he has had a copy of the summons issued in this suit served upon her, as will appear by the copy thereof herewith returned, and a copy of the notice to take depositions.

The prayer therefore of your orator is that ~~xx~~ Lucy Burton Quillen, his said wife, be made a party defendant to this bill of complaint and be required to answer the same, but not under oath that being expressly waived, that upon a hearing a divorce a vinculo matrimonae be granted him, and that the bonds of matrimony hertofore existing between him and the said defendant be forever dissolved; and may all other and furthur relief be granted your orator that the nature of his cause and good concience requires and he will ever pray &c.

Quinn Bros

B.Q.

James Quillen
vs $\frac{3}{3}$ Price

Lucy Quillen
~~vs~~
1905-1st Feb'y Rules.
Bill filed, & Spa.
executed.
2nd Feb. Rules.
Cause set for
hearing.

Costs:
Clerk \$3.30
att'y 15.00
Dax 1.50

\$19.80

Pennington Bros.
ATTORNEYS AT LAW
JONESVILLE AND PENNINGTON GARVA.

James Quillen,

Complainant,

vs

In Chancery,

Lucy Burton Quillen,

Defendant.

This cause came on this day to be heard upon the bill of the complainant, and the depositions of witnesses, and it appearing to the court that the defendant has been duly summoned to appear, and she failing to appear plead or answer, and the court being of the opinion from the deposition of witnesses duly taken and filed in this cause that the said defendant has deserted the plaintiff for more than three years next preceeding the institution of this^s suit without cause it is therefore adjudged ordered and decreed that the bonds of matrimony hertofore existing between the said plaintiff and defendant, be and the same are hereby ~~for~~^{over} dissolved, and the said plaintiff is hereby awarded a divorce from said defendant a vinculo matrimonae. And this cause is stricken from the docket.

James Quillman

✓ $\frac{3}{4}$ Decree final

Lacy B Quillman

Entered in Chancery
Order Book No. 7
page 574.

Enter this decree

July 26 - 1905

H. A. W. Starn

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The depositions of Thomas Hans and W.M.Quillen, taken before me, A.M.Goins, Commissioner in Chancery of the Circuit Court for Lee county, Virginia, pursuant to notice hereto attached, at the law office of R.L.Pennington, in the town of Jonesville, Va., on the 28th day of January, 1905, to be considered ^{as evidence} on behalf of the plaintiff in a certain suit in chancery now depending in the Circuit court of said county, in which James Quillen is plaintiff and Lucy B.Quillen is defendant.

Present: R.L. Pennington, Atty. for Plff.

Q.1. State your age, residence and occupation.

A.1. I am 69 years old; live in Hancock county Tenn.; and am a farmer.

Q. 2. Are you acquainted with James Quillen and his wife Lucy B. Quillen; if so, how long have you known them?

A.2. I am acquainted with them; I have known the wife ever since she was a child, she has lived within a half mile of me for that length of time; I have known the husband, James Quillen, for nine years.

Q.3. Do you know of the marriage of the said James and Lucy to each other, and their living together as man and wife; if so, state what you may know?

~~XXXXXXXXXXXXXXXXXXXX~~
A.S. I know they were married to each other, and I know that she lived
~~XXXXXXXXXXXXXXXXXXXX~~
with him for about five weeks and some days.

Q.4. State what you may know of her abandoning or leaving the said James, if she did abandon or leave him.

A.4. I know that she did leave or abandon him a short while afetr they married, which was about seven years ago, and I know that she told me that she never expected to live with him any more, and I know that she never has lived with him any more; she has been right there at home all the time. It has been something over six years since she left him.

Q.5. Have you heard her talk more than once about living with Jim?

A.5. Yes, I have talked with her a good many times and she always said she never would live with him any more.

Q.6. Do you know how long James Quillen has lived in Lee county?

A.6. I do not know that I could state without counting up, ^{but} ~~he~~ he has been here three or four years.

~~And~~ And further this deponent saith not.

Thomas ^{his} Hans
W.M. Quillen, another witness of lawful age, being first duly sworn, deposes and says:

Q.1. State your age, residence and occupation.

A.1. I am 50; I live in Lee county, Va., and am a farmer.

Q.2. James Quillen is your son, is he not?

A.2. He is.

Q.3. Do you know how long he has lived in Lee county, Va.?

A.3. Something over five years.

Q.4. Are you acquainted with his wife Lucy B. Quillen?

A.4. Slightly, I never was about them much.

Q.5. Do you know how long ago it was your son was married to Lucy B.

A.5. About seven years last September.

Q.6. How long did they live together, if you know?

A.6. About five weeks.

Q.7. Do you know whether she abandoned and would not live with him longer or not.

A.7. I know she said she would not live with him longer, and I know she never has up to this time.

Q.8. Where does the said Lucy now live?

A.8. In Hawkins county Tenn.

And further this deponent saith not.

Virginia, Lee County, to-wit:

W. M. ^{his} Quillen
I, A.M. Goins, Commissioner in Chancery for the Circuit court of Lee county, Virginia, do certify that the foregoing depositions of Thomas Hans and W.M. Quillen were duly taken under oath and subscribed before me, at the time and place stated in the caption.

Given under my hand, this January 28, 1905.

A. M. Goins

Comm. in Chancery.

James Quillen -

v. $\frac{5}{3}$ Depositions

Lacy Quillen

Filed Jan. 28, 1905

H. E. Ewing,
Clerk.

To Lucy Burton Quillen,

TAKE NOTICE THAT I shall on the 28 day of January, 1904 189, at
the law office of R.L. Pennington in the town of Jonesville, Va.,
between the
hours of 8 A. M. and 8 P. M., of that day, proceed to take the depositions of Thomas
Hans and W.M. Quillen and others, which, when taken, are
intended to be read as evidence in my behalf, in a certain suit in Chancery now
pending in the Circuit Court, of Lee County, Virginia, wherein you are Defendant
and I am plaintiff; and if, from any cause, the taking of said depositions be not com-
menced on that day, or, if commenced, be not concluded on that day, the taking of the same will be adjourned and con-
tinued from day to day, or from time to time, and from place to place, or at the same place, until the same shall be com-
pleted.

Respectfully yours,

James Quillen,

By.

Pennington Bros Atty

James Mullens
vs. } Notice to Take
Depositions.

Lucy B. Quillen

Quinton Bros P. Q.

Virginia, Lee County, Wit:

1904 I, Wiley Mullens, do hereby certify that on the 16th day of Jan.

, I delivered a true copy of the within notice to Lucy Burton Quillen, at Pod Hill School House in Hawkins County Tenn, and that the said Lucy Quillen is a non resident of the State of Virginia.

Given under my hand this the 28th day of Jan. 1905.

Wiley Mullens

Subscribed and sworn to before me, A.M. Goins Commissioner in Chancery this the 28th day of Jan, 1905, by Wiley Mullens.

A. M. Goins
Commissioner in Chancery.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

Lucy Burton Swill-

er

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held
for the said court, on the *1st* Monday in *February* *1905* to answer a
bill in chancery exhibited against *her* in our said court by *James*

Swiller

And have then there this writ. Witness, *J. C. T. Ewing* Clerk of our said Court, at the
court-house, the *7th* day of *January* *1905*, and in the 12th year of the
Commonwealth.

J. C. T. Ewing, Clerk.

James Mullins
 vs. { SUBPOENA
 IN CHANCERY

Lucy Burton Mullins

Pennington Co. p. q.

To *1st Feby* Rules.

Lee Circuit Court.
1905

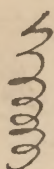
Virginia, Lee County to wit:
 I, Wiley Mullins do hereby certify that on the 16th day of January, 1905, I delivered a true copy of the within Summons in Chancery to Lucy Burton Quillen at Pod Hill School house in Hawkins County, Tenn., and that the said Lucy Eutson Quillen is a non resident of the State of Virginia.
 Given under my hand this 28th day of Jan, 1905.

Subscribed and sworn to before me A.M. Goins, Commissioner in Chancery, by Wiley Mullins, this Jan 28, 1905.

Wiley Mullins
 Commissioner in Chancery.

A. M. Goins

James Quillen

v  George Bice

Lucy B Quillen

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1900 to 10